

Board Meeting February 2, 2022



### Welcome and "Meeting Administrative Issues"

Consistent with Governor Newsom's Executive Order N-29-20, the public and Board members will participate in the meeting via Zoom or teleconference.

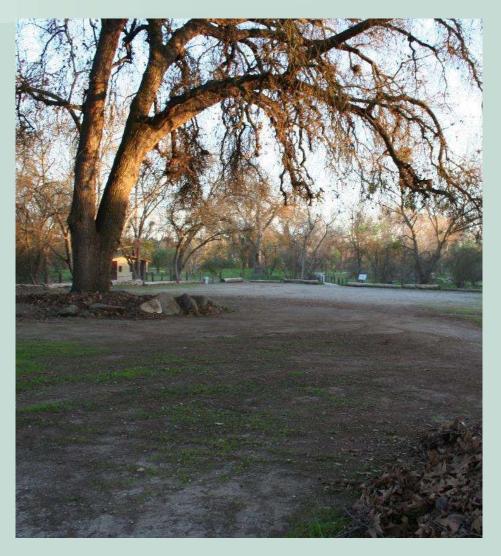
Public comments will be accepted per the agenda. Participants will be muted until called upon by the Chair.



### MEETING AGENDA

The Agenda and Meeting Packet are available at:

http://sjrc.ca.gov/Board/



Wildwood Native Park

### Public Comment Process

We hope that the Public is afforded as fair and open meeting as practical.

- Using Zoom technology: use the button on the bottom right to "Raise Your Hand" if you wish to speak. You will be called upon and un-muted in the order of the notifications to the coordinator
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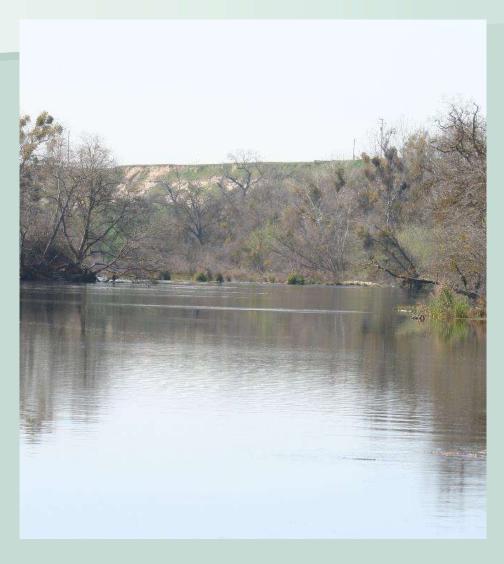
### MEETING AGENDA

### A. Roll Call



Monarch Butterflies (Danaus plexippus at Pismo State Beach Monarch Butterfly Grove )

### **B. Potential Conflicts of Interest**



Any Board member who has a potential conflict of interest may identify the item and recuse themselves from discussion and voting on the matter. (FPPC §97105)

# C. Public Comment & Business from the Floor

Ten minutes of the meeting are reserved for members of the public who wish to address the Conservancy Board on items of interest that are not on the agenda and are within the subject matter jurisdiction of the Conservancy.

### Speakers shall be limited to three minutes.

The Board is prohibited by law from taking any action on matters discussed that are not on the agenda; no adverse conclusions should be drawn if the Board does not respond to the public comment at this time.

### D. Consent Calendar:

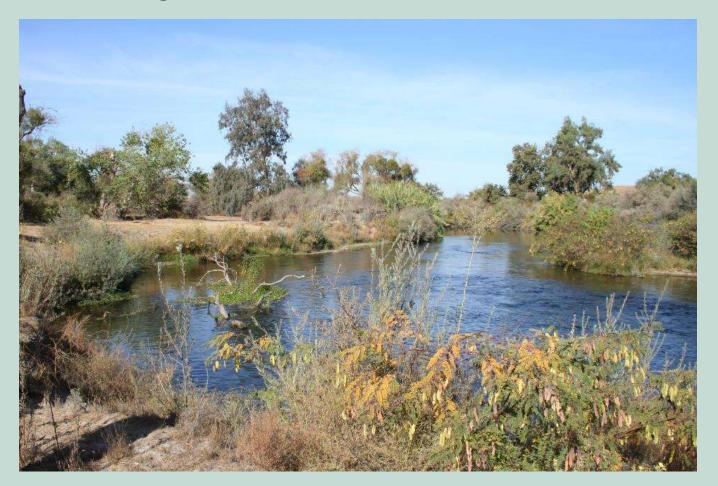
D-1 Action Item: Approve Minutes of September 1, 2021



Main Pond at Ball Ranch

### D. Consent Calendar:

 D-2 INFORMATION ITEM: Reminder to File Statements of Economic Interest and Complete Biennial Ethics Training, Due Friday, April 1, 2022



San Joaquin River from Van Buren (with Scarlet Wisteria -Sesbania punicea)

E-1 ACTION ITEM: Adoption of Resolution No. 22-01, Delegation of Authority to Executive Officer

Postponed until next Board Meeting

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E-2 Action Item: Authorize Amendment to the Lease with Vulcan Materials to Specify Lease Term for Reclamation Activities and Rental Rate

### **RECOMMENDATION:**

It is recommended the Board authorize the Executive Officer to finalize and execute an amendment to the lease with Vulcan Materials to specify the lease term for reclamation activities and rental rate.

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- The Conservancy assumed the existing gravel plant lease with Vulcan Materials when it acquired the Gibson property in 2008.
- June 2013, the Board approved the Second Amended and Restated Lease (Lease) with CalMat Company, the owner of Vulcan effective January 1, 2014, when the prior lease expired.
- The Lease provides for two phases of operations:
  - First Lease Term: continue mining and processing activities;
  - Second Lease Term, reclamation measures necessary to comply with the Surface Mining and Reclamation Act.
  - First Lease Term would expire on December 16, 2016,
  - Second Lease Terms would commence no later than December 31, 2016 and continue for a maximum of five years.

- Provision to extend the lease terms by mutual agreement by both parties, and a month-to-month hold-over provision for mining activities to apply after expiration of the First Lease Term.
- September 2016, the Board approved an extension of the First Lease Term on a month-to month basis to September 10, 2017
  - Second Lease Term to begin no later than September 30, 2017, and to continue for five years to complete reclamation activities (First Amendment to Lease).
  - Month-to-month rent was \$235,000 annually, prorated at \$650 per calendar day commencing January 1, 2017.
- November 2017, the Conservancy Executive Officer sent a letter to Vulcan acknowledging
  - total rents paid through September 8, 2017
  - Continuing of the month-to-month tenancy at \$650/day.

- Since September 10, 2017, Vulcan has been operating on a monthto-month basis under the Lease hold-over provision.
- Vulcan recently notified the Conservancy that it has ended gravel mining activities and would like to enter the Second Lease Term for reclamation activities.
- Vulcan Material's reclamation requirements include removing structures and unnecessary infrastructure, distributing stockpiled "overburden" soils to recreate adequate planting surfaces, planting a range of native plants, and irrigation and monitoring to achieve required plant survival rates

#### Staff recommends:

- Authorize the Executive Officer to execute an amendment to the Lease specifying the dates of the Second Lease Term (Second Amendment to Lease).
  - Commence March 1, 2022,
  - Continue for a maximum of five years, to February 28, 2027, unless otherwise extended or terminated by mutual agreement.

#### Staff recommends:

- Authorize the Executive Officer to negotiate the rental rate
  - The Existing Lease specifies Vulcan
    - may maintain an office
    - perform administrative services
    - rent is to be based on the current fair market monthly rental rate for land occupied by Vulcan's portable office buildings,
    - Vulcan's active management, reclamation operations and maintenance, and monitoring is agreed as constituting fair consideration for occupancy of the remainder of the premises.
  - A rental rate in the amount of \$6,000 per year

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E-3 Action Item: Authorize Agreement with the San Joaquin River Parkway and Conservation Trust for Parkway Ambassador

Postponed until next Board Meeting

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E-4 INFORMATION ITEM: Report on the \$15 Million for the San Joaquin River Conservancy from the State's General Fund to use on Operations and Maintenance: Developing Priorities and Strategies for this funding.

**RECOMMENDATION:** This report is provided for informational purposes. No action of the Board is recommended.

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### Categories of expenditures:

- 1. Personnel/Administration,
- 2. Equipment,
- 3. Direct Services or Procurement (Services that require an Invitation for Bids)
- 4. Services that require a "Request for Proposal" (RFP),
- 5. Permitting,
- 6. Microgrants, and
- 7. Grants.

### Personnel and Administration includes:

- Expenses for personnel, both temporary and permanent, if approved
- Expenses that may come from interagency agreements where personal or administrative resources are included



### Equipment includes:

- Landscaping equipment like mowers, utility vehicles, and power equipment
- vehicles for our new staff, if we can get permission
- vehicle expenses and equipment to operate and charge the electric vehicles
- gates, signs, and items usually thought as parts and supplies

### Services

- Direct Services
  - Janitorial, Trash Service, Security, Gate/fencing repairs, and other services below \$5,000
- Services that require Invitation for Bids
  - To obtain simple, common, or routine services that may require personal or mechanical skills. Little discretion is used in performing the work.
- Services that require Request for Proposals
  - To obtain complex services in which professional expertise is needed and may vary. Where different methods and approaches may be applied during performance.

### Permitting includes:

- Lake and Streambed Alteration (F&G Code 1600 etc.)
- California Environmental Quality Act (CEQA)
- Division of the State Architect Certifications
- California Endangered Species Act consultation
- Federal Endangered Species Act consultation
- California Air Board
- Others



### Grants and Micro-Grants includes:

- Grants
  - Similar to our Bond Funds and likely to be \$50,000 or more
  - Come to the Board for discussion and approval
- Micro-Grants
  - Small grants to partner organizations for supplies (paint, hand tools, etc.) or equipment
  - Range of individual micro-grants from <\$100 to \$25,000
  - Micro-grants between \$25,000 and \$50,000 will have similar approval process as regular Grants

#### Detailed Budget \$15,000,000 General Fund

- 1. The amount appropriated ... shall be available for operation and maintenance of conservancy-owned lands.
- 2. These funds shall be available for encumbrance or expenditure until June 30, 2024, and for liquidation until June 30, 2026.

FY		Personnel/ Admin	Equipment	Services - Direct	Services - Bid	Services RFP	Permitting	Micro Grants	Grants	Subtotals
24.22	Enc	\$200,000	\$120,000	\$100,000	\$100,000	\$150,000	\$30,000	\$50,000	\$750,000	\$1,500,000
21-22	Exp	\$200,000	\$120,000	\$50,000	\$70,000	\$80,000	\$30,000	\$30,000	\$420,000	\$1,000,000
22-23	Enc	\$400,000	\$350,000	\$350,000	\$750,000	\$150,000	\$150,000	\$150,000	\$3,200,000	\$5,500,000
22-23	Ехр	\$400,000	\$350,000	\$300,000	\$580,000	\$200,000	\$150,000	\$150,000	\$1,870,000	\$4,000,000
23-24	Enc	\$400,000	\$200,000	\$300,000	\$1,500,000	\$250,000	\$50,000	\$250,000	\$5,050,000	\$8,000,000
25-24	Ехр	\$400,000	\$200,000	\$250,000	\$1,200,000	\$170,000	\$50,000	\$200,000	\$2,030,000	\$4,500,000
24-25	Exp	\$0	\$0	\$150,000	\$400,000	\$50,000	\$0	\$70,000	\$2,830,000	\$3,500,000
25-26	Ехр	\$0	\$0	\$0	\$100,000	\$50,000	\$0	\$0	\$1,850,000	\$2,000,000
	Subtotals	\$1,000,000	\$670,000	\$750,000	\$2,350,000	\$550,000	\$230,000	\$450,000	\$9,000,000	\$15,000,000

### **Spending Strategies - \$1,300,000 Climate Package**

- 1. The amount appropriated in this item shall be available for climate resilience, wildfire prevention, community access, and natural resource protection.
- 2. The amount appropriated in this item is available for capital outlay or local assistance until June 30, 2024.
- 3. Up to 5 percent of the amount appropriated in this item may be used for administrative costs. (\$65,000)

FY	To Encumber	To Expend	Notes
21-22	\$0	\$0	<ol> <li>Administrative bottleneck of getting funding spent (current contracting process in close to 5 months)</li> <li>Need to establishing grant guidelines</li> <li>Need Bring to Board for approvals</li> </ol>
22-23	\$800,000	\$400,000	Both Encumbrances and Expenditures will depend on applications received
23-24	\$500,000	\$900,000	Both Encumbrances and Expenditures will depend on applications received
Totals	\$1,300,000	\$1,300,000	

#### Spending Strategies - \$15,000,000 General Fund

- 1. The amount appropriated ... shall be available for operation and maintenance of conservancy-owned lands.
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FY	To Encumber	To Expend	Notes
21-22	\$1,500,000	\$1,000,000	<ol> <li>Administrative bottleneck of getting funding spent (current contracting process in close to 5 months)</li> <li>Will need to Establish administrative procedures that we have not used much in the past</li> <li>Need for discussion with Board and public about priorities</li> <li>Hiring delays (for help to address #1 above) and process to establish authorities</li> </ol>
22-23	\$5,500,000	\$4,000,000	<ol> <li>Estimated Expenditures include encumbered funds from FY21-22</li> <li>Bid processes and "request for proposals" process, plus contracting process is likely to push much of the FY21-22 into FY22-23</li> </ol>
23-24	\$8,000,000	\$4,500,000	<ol> <li>Need to encumber all \$15 Million by June 2024</li> <li>Enter 3-year Contracts to take advantage of flexibility of this funding</li> <li>Intent to Fund potential JPA and other organizations for work</li> </ol>
24-25	\$0	\$3,500,000	
25-26	\$0	\$2,000,000	
Totals	\$15,000,000	\$15,000,000	

#### Detailed Budget \$15,000,000 General Fund

- 1. The amount appropriated ... shall be available for operation and maintenance of conservancy-owned lands.
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FY		Personnel/ Admin	Equipment	Services - Direct	Services - Bid	Services RFP	Permitting	Micro Grants	Grants
21-	Enc	\$200,000	\$120,000	\$100,000	\$100,000	\$150,000	\$30,000	\$50,000	\$750,000
22	Exp	\$200,000	\$120,000	\$50,000	\$70,000	\$80,000	\$30,000	\$30,000	\$420,000

FY		Subtotals
21-22	Enc	\$1,500,000
21-22	Ехр	\$1,000,000



#### Detailed Budget \$15,000,000 General Fund

- 1. The amount appropriated ... shall be available for operation and maintenance of conservancy-owned lands.
- 2. These funds shall be available for encumbrance or expenditure until June 30, 2024, and for liquidation until June 30, 2026.

FY		Personnel/ Admin	Equipment	Services - Direct	Services - Bid	Services RFP	Permitting	Micro Grants	Grants
22-	Enc	\$400,000	\$350,000	\$350,000	\$750,000	\$150,000	\$150,000	\$150,000	\$3,200,000
23	Exp	\$400,000	\$350,000	\$300,000	\$580,000	\$200,000	\$150,000	\$150,000	\$1,870,000

FY		Subtotals
22-23	Enc	\$5,500,000
22-25	Exp	\$4,000,000



#### Detailed Budget \$15,000,000 General Fund

- 1. The amount appropriated ... shall be available for operation and maintenance of conservancy-owned lands.
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FY		Personnel/ Admin	Equipment	Services - Direct	Services - Bid	Services RFP	Permitting	Micro Grants	Grants
23-	Enc	\$400,000	\$200,000	\$300,000	\$1,500,000	\$250,000	\$50,000	\$250,000	\$5,050,000
24	Ехр	\$400,000	\$200,000	\$250,000	\$1,200,000	\$170,000	\$50,000	\$200,000	\$2,030,000

FY		Subtotals
23-24	Enc	\$8,000,000
25-24	Exp	\$4,500,000



#### Detailed Budget \$15,000,000 General Fund

- 1. The amount appropriated ... shall be available for operation and maintenance of conservancy-owned lands.
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FY		Personnel/ Admin	Equipment	Services - Direct	Services - Bid	Services RFP	Permitting	Micro Grants	Grants
24-25	Ехр	\$0	\$0	\$150,000	\$400,000	\$50,000	\$0	\$70,000	\$2,830,000
25-26	Exp	\$0	\$0	\$0	\$100,000	\$50,000	\$0	\$0	\$1,850,000

FY		Subtotals
24-25	Ехр	\$3,500,000
25-26	Ехр	\$2,000,000



	Detailed Budget \$15,000,000 General Fund									
1.	Provisions:  1. The amount appropriated shall be available for operation and maintenance of conservancy-owned lands.  2. These funds shall be available for encumbrance or expenditure until June 30, 2024, and for liquidation until June 30, 2026.									
	Personnel/ Admin Equipment Services - Direct Services - Bid									
	Subtotals \$1,000,000 \$670,000 \$750,000 \$2,350,000									



Services RFP	Permitting	Micro Grants	Grants
\$550,000	\$230,000	\$450,000	\$9,000,000

Planning a Workshop on this for April 6, 2022

E-5 INFORMATION ITEM: Report on the Central Valley Salmon Recovery Project by Kearns and West

**RECOMMENDATION:** This report is provided for informational purposes. No action of the Board is recommended.

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# E-5 INFORMATION ITEM: Report on the Central Valley Salmon Recovery Project by Kearns and West

The Reorienting to Recovery presentation will provide a project overview, summarize the Phase 1 recovery definition, and outline opportunities for further engagement (including, soliciting input on: current and planned restoration projects, data to be used for modeling and setting specific watershed targets, and values associated with salmon recovery).

Ms. Lindsay Tryba, Associate, from Kearns and West, will provide an overview of the salmon Reorienting to Recovery.

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## E. Regular Session Items

E-6 Information Item: Status and Progress Report on River West Fresno, Eaton Trail Extension Project.

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Project Task	Cost	SJRC Fund	Cost Share
Task 1: Project Management, Reporting, Subcontractor Bids and Management	\$67,700	\$67,700	\$0
Task 2: Engineering and Planning	\$1,963,200	\$1,963,200	\$0
Task 3: Permitting	\$1,029,000	\$1,029,000	\$0
Indirect Costs	\$103,800	\$44,931	\$58,869
Total Costs	\$3,163,700	\$3,104,831	\$58,869

Task	Start	Finish
SJRC Board Consideration	Sept 1, 2021	
WCB Consideration	Nov 18 2021	
WCB CEQA NOE/NOD Filing, Prepare and Execute Grant	Nov 18 2021	Jan 21, 2022
Hire Consultants: Prepare SOQ, Advertise, Selection, Approval at City Council, Contract	Jan 24, 2022	Sept 8, 2022
Plans, Specs, Estimate and Permitting	Sept 12, 2022	July 25, 2023
Bid Construction Package	Oct 11, 2023	Dec 12, 2023

Task	Start	Finish
SJRC Board Consideration	Sept 1, 2021	
WCB Consideration	Nov 18 2021	
WCB CEQA NOE/NOD Filing, Prepare and Execute Grant	Nov 18 2021	Jan 21, 2022
Hire Consultants: Prepare SOQ, Advertise, Selection, Approval at City Council, Contract	Jan 24, 2022	Sept 8, 2022
Plans, Specs, Estimate and Permitting	Sept 12, 2022	July 25, 2023
Bid Construction Package	Oct 11, 2023	Dec 12, 2023

- A notice to proceed for the grant agreement was issued on January 7, 2022.
- The Request for Qualifications for design consultant services will be release in mid-February

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## F. Reports

#### F-1 Organizations' Reports:

- **F-1a.** San Joaquin River Parkway and Conservation Trust
- F-1b. RiverTree Volunteers
- **F-1c.** Central California Off Road Cyclist (CCORC)
- F-1d. San Joaquin River Access Corporation (SJRAC)
- **F-1e.** San Joaquin River Socials
- F-1f. Other Organizations (please contact the Conservancy if you wish to Report on your Organization – info@sjrc.ca.gov

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## F. Reports (cont)

### F-2 Deputy Attorney General



View of Hwy 41 Bridge from Van Buren

## F. Reports (cont)

## F-3 - Executive Officer

#### **Public Resources Code 32511:**

"The conservancy shall be responsible for operation and maintenance of the parkway. The conservancy shall close to the public any lands or facilities which it is unable to maintain in a clean and safe manner and to adequately protect the wildlife and rights of adjacent property owners from the public, including areas downstream from the Highway 99 crossing affected by the use of the parkway."

Formally Open to the Public							
SJRC Properties (Friant to Hwy 99)	roperties (Friant to Hwy 99)  Fresno (Acres*) Madera Ready To Open: Needed To Open: Auto (parking) Foot/bicycles						
Friant Cove (and southeast corner of Friant and Ave 206)	6	0	Yes	NA	NA		
Jenco Farms	25	0	No (parking is nearby)	Open	Not Planned (Parking is nearby)		
Jensen River Ranch	160	0	No (parking is nearby)	Open	Not Planned (Parking is nearby)		
Wildwood Native Park	0	27	Open 3 d/wk	Open	Amend service agreements		
Van Buren	0	285	No	Open	Build Parking (CEQA done)		
Sycamore Island	0	447	Open 3 d/wk	Open	RFP for 7 d/wk		
Total (rounded): 950	191						
*Acres are approximate and in some cases St jurisdictional land)	ate Lands Co						

Informally Open						
SJRC Properties (Friant to Hwy 99)	Fresno (Acres*)	Madera (Acres*)	Ready To Open: Auto (parking)	Needed To Open: Foot/bicycles	Needed To Open: Auto (Parking)	
Ledger Island	0	173	No (parking is nearby)	Signage (RFP in progress)	Not Planned (Parking is nearby)	
Ball Ranch	360	0	Yes (parking at gate for ~ 15 vehicles)	Signage (RFP in progress)	Not Planned (Parking is nearby)	
River West Fresno (Spano)	372	50	No	Signage/porta potties/trash	finish final design and implementation	
Total (rounded): 955	732	223				

<sup>\*</sup>Acres are approximate and in some cases State Lands Commission jurisdictional land

Informally Open							
SJRC Properties (Friant to Hwy 99)	Fresno (Acres*)	Madera (Acres*)	Ready To Open: Auto (parking)	Needed To Open: Foot/bicycles	Needed To Open: Auto (Parking)		
Wagner (aka Cottonwood Creek)	0	116	No (parking is nearby)	Signage	Not Planned (Parking will be nearby)		
River Vista	0	140	No (parking is nearby)	Signage/port a potties/trash	finish final design and implementation		
Ledger Island	0	173	No (parking is nearby)	Signage (RFP in progress)	Not Planned (Parking is nearby)		
Ball Ranch	360	0	Yes (parking at gate for ~ 15 vehicles)	Signage (RFP in progress)	Not Planned (Parking is nearby)		
River West Fresno (Spano)	372	50	No	Signage/port a potties/trash	finish final design and implementation		
Total (rounded): 1,211	732	479					

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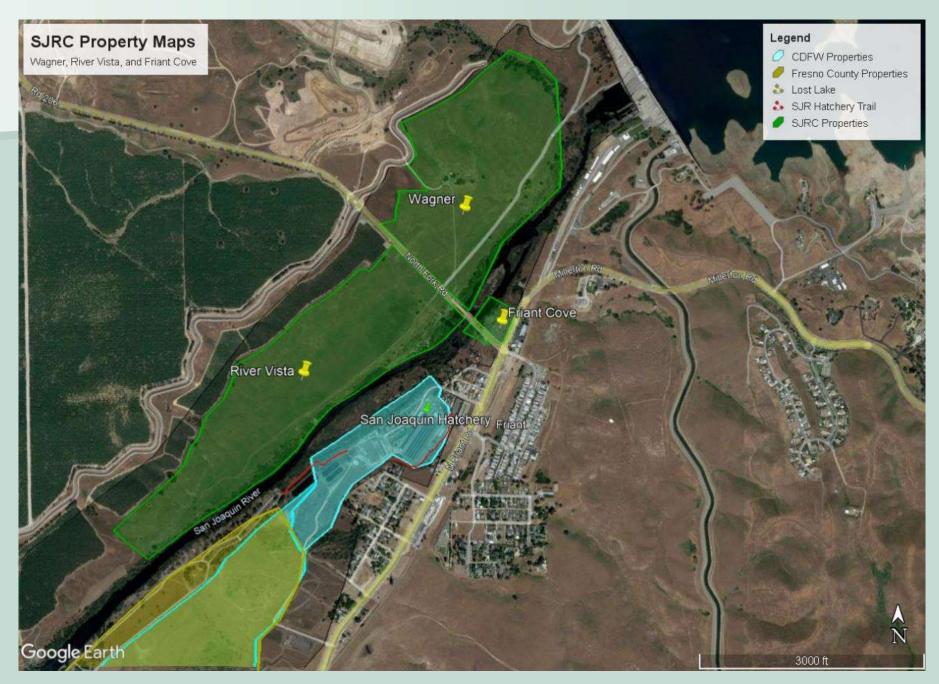
#### **Properties that are Open to Groups with Access Agreements**

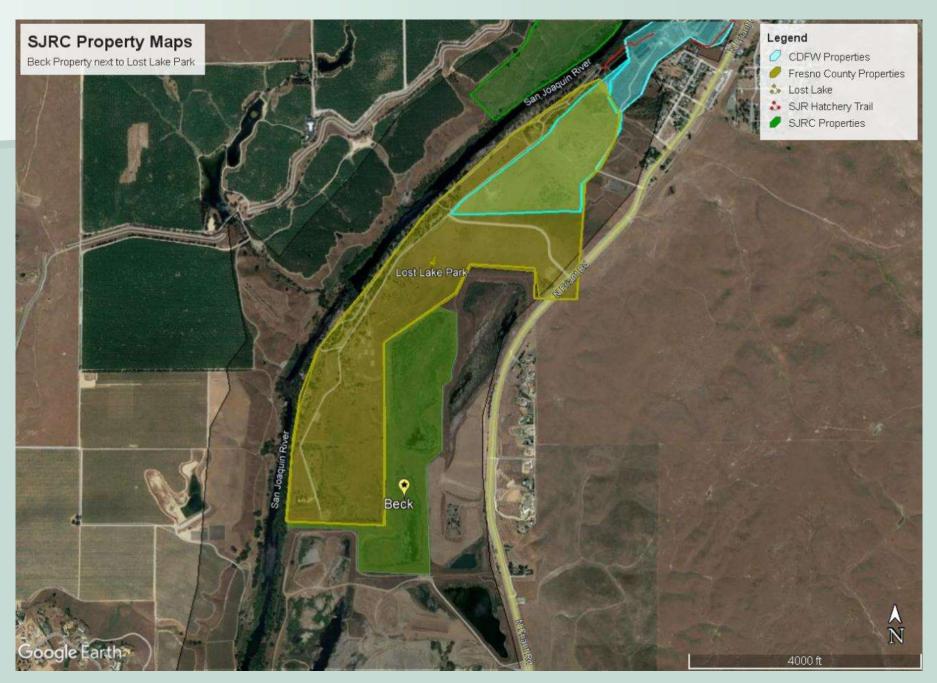
SJRC Properties (Friant to Hwy 99)	Fresno (Acres*)	Madera (Acres*)	Ready To Open: Auto (parking)	Needed To Open: Foot/bicycles	Needed To Open: Auto (Parking)
Circle V Ranch (Vinnard)	0	25	Open to groups by agreement	Finish Planning and Implementation	Finish Planning and Implementation
Lanes Road - Gagnebin	30	0	Open to groups by agreement	Planning for Office, etc	Planning for Office, etc
Camp Pashayan**	30	0	Open to groups by agreement	Planning in process	Planning in process
Total (rounded): 85	60	25			

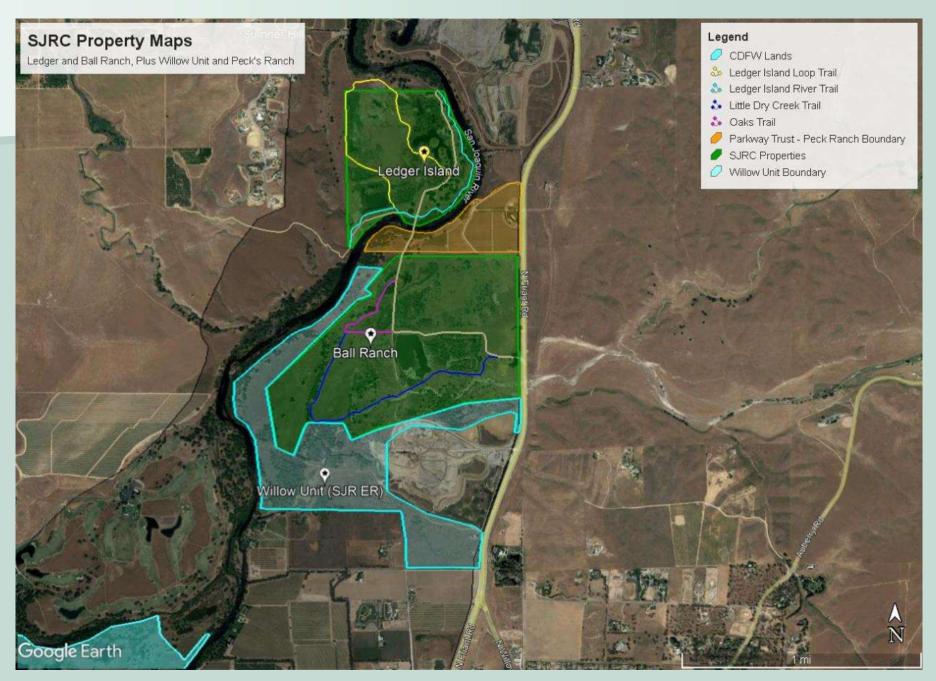
<sup>\*</sup>Acres are approximate and in some cases State Lands Commission jurisdictional land)

<sup>\*\*</sup>Camp Pashayan was originally acquired by the River Parkway Trust in 1995 and later sold to the Conservancy. Acres include CDFW land

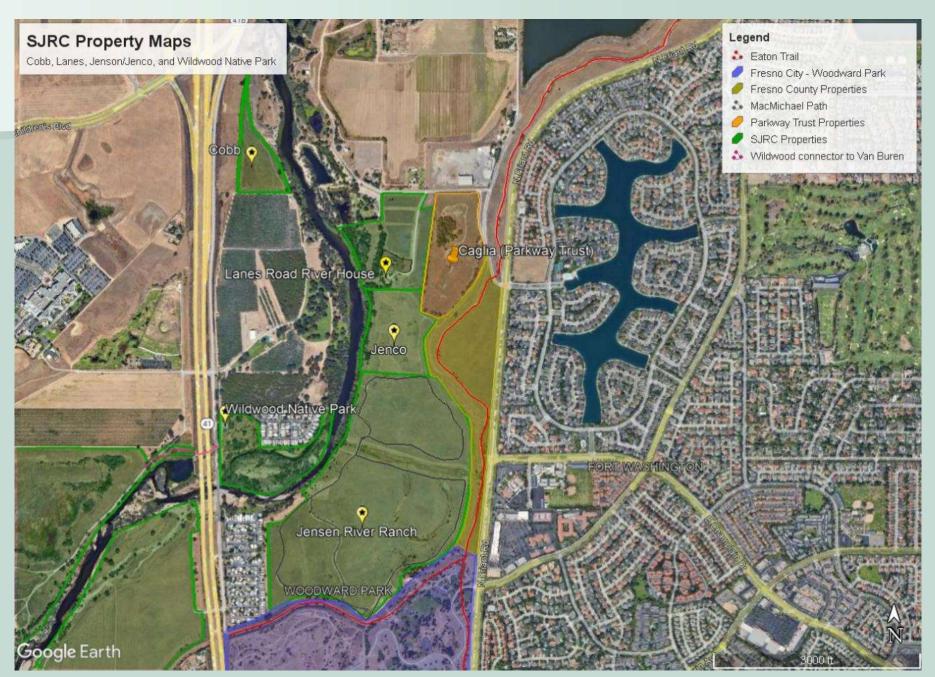
Properties that need more work to open						
SJRC Properties (Friant to Hwy 99)	Fresno (Acres*)	Madera (Acres*)	Needed To Open: Foot/bicycles	Needed To Open: Auto (Parking)		
Gibson	321	0	Vulcan Reclamation	Vulcan Reclamation		
Cobb/Madera Co	0	12	need project	need project		
Liddell/Bluff Pointe Golfing Center	172	0	New Lease	New Lease		
Schneider	0	79	Signage/porta potties/trash	need project (maybe WRAP)		
Slenders (in process)	0	36	Signage/porta potties/trash	need project (maybe WRAP)		
Total (rounded): 620	493	127				
*Acres are approximate and in some cases State Lands Commission jurisdictional land)						















## G. Reports F-4 Board Members



Valley Oak – Ledger Island

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### H. CLOSED Session

Before convening in closed session, members of the public will be provided the opportunity to comment on Executive Session agenda items.



- Using **Zoom** technology: use the button on the bottom right to "**Raise Your Hand**" if you wish to speak. You will be called upon and un-muted in the order of the notifications to the coordinator
- Using the **ATT Conference Line**: press "**#2**" to be recognized. Again, you will be called upon and un-muted in the order of the notifications to the coordinator

### G. CLOSED Session

G-1 Government Code Section 11126 (a) (1) Public Employee Performance Evaluation Title: Executive Officer

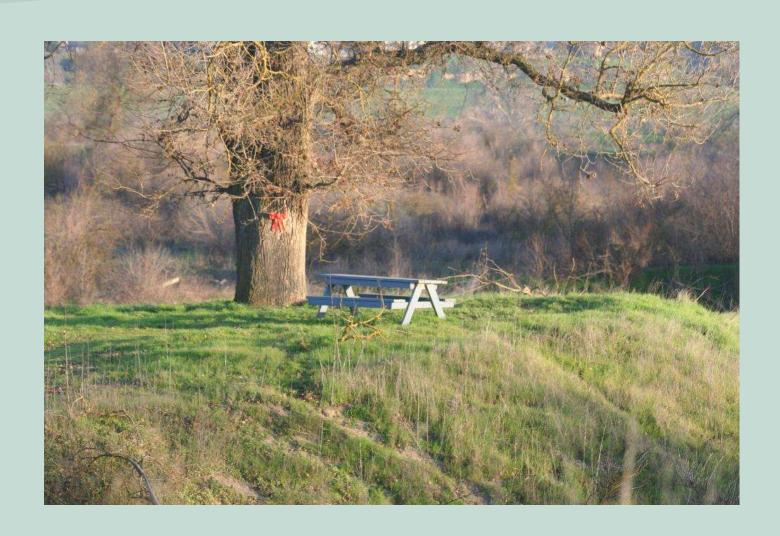


#### **Public is invited to Comment on G-1.....**

- Using **Zoom** technology: use the button on the bottom right to "**Raise Your Hand**" if you wish to speak. You will be called upon and un-muted in the order of the notifications to the coordinator
- Using the **ATT Conference Line**: press "#2" to be recognized. Again, you will be called upon and un-muted in the order of the notifications to the coordinator

## H. CLOSED Session

Public is invited to wait - Board and Staff will rejoin soon....



### ADJOURN

### Next meeting:

The next Board meeting will be held May 4, 2022, at 10:00 a.m.

Board meeting notices, agendas, staff reports, and approved minutes are posted on the Conservancy's website, <a href="www.sjrc.ca.gov">www.sjrc.ca.gov</a>. For further information or if you need reasonable accommodation due to a disability, please contact the Conservancy at (559) 253-7324.

### Next Workshop:

The next SJRC Workshop will be held April 6, 2022, at 10:00 a.m. Our Preliminary topic will be "Strategy for Operations and Maintenance of the San Joaquin River Parkway."